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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/925,684	08/10/2001	Toru Ebata	Q65834	4309

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SUGHRUE, MION, ZINN, MACPEAK & SEAS
2100 Pennsylvania Avenue, N.W.
Washington, DC 20037

EXAMINER

MARTINEZ, DAVID E

ART UNIT PAPER NUMBER

2182

DATE MAILED: 11/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/925,684	Applicant(s) EBATA, TORU	
	Examiner David E Martinez	Art Unit 2182	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 June 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,4,5,8,9,11 and 12 is/are rejected.
- 7) ☒ Claim(s) 2,3,6,7 and 10 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 4, 5, 8, 9, and 11-12, are rejected under 35 U.S.C. 102(b) as being anticipated by US Patent No. 5,991,842 to Takayama.

1. With regards to claims 1, 5 and 9, Takayama teaches a data processing apparatus that is used by being connected via a bus device to a central processing apparatus [fig 1, column 3 lines 21-27] that starts an ID process for identifying the data processing apparatus when the bus device is initialized [column 3 lines 32-38, column 5 line 563 to column 6 line 46], the apparatus comprising:

a connection-detection device for detecting whether or not said data processing apparatus is connected to said central processing apparatus via said bus device [column 5 line 56 to column 6 line 46];

a state-change detection device for detecting whether or not a processing component is loaded in said data processing apparatus while said data processing apparatus is connected to said central processing apparatus [fig 11, element S1, column 10 lines 57-66]; and

a bus initialization device for initializing said bus device when change in said processing state is detected [fig 11, element S2, column 10 lines 57-66].

2. With regards to claims 11, Takayama teaches said recording medium performs at least any one of the processes of:

outputting data that are recorded on said recording medium to said central processing apparatus via said bus device [when the equipment in the network can is a DVD connected to a PC rather than a camera (column 3 lines 21-27) it is inherently done. DVDs store data that was once previously recorded for the later use].

3. With regards to claims 4, 8 and 12, Takayama teaches said bus device is a serial bus complies to the IEEE 1394 standard, and said initialization is a bus reset according to the IEEE1394 standard [column 1 lines 22-35, column 3 lines 9-20, 32-38, fig 11, element S2, column 10 lines 57-62].

Allowable Subject Matter

Claims 2-3, 6-7, and 10 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

With regards to claims 2-3, 6-7, and 10, the prior art alone or in combination do not teach the initialization of the bus after a recording medium is mounted in the processing apparatus (i.e. initialization of the bus after the insertion of a medium such as a CD or dvd).

Response to Arguments

Applicant's arguments filed on 6/14/04 have been fully considered but they are not persuasive.

Applicant argues:

" Nowhere does Takayama disclose or suggest detecting whether or not a processing component is loaded in a data processing apparatus while the data processing apparatus is connected to a central processing apparatus, let alone discloses or suggests initializing a bus device when change in the processing state is detected"

However, "processing component is loaded" is a broad term, and Takayama does in fact disclose detecting whether or not a processing component [video/camera device] is loaded [when activated, the device loads either to a "digital moving image camera/recorder" mode or to a "digital still image camera/recorder" mode] in a data processing apparatus while the data processing apparatus is connected to a central processing apparatus, and initializing a bus device [bus reset = bus initialization] when change in the processing state is detected [fig 11 steps S1 and S2, column 10 lines 57-66].

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David E Martinez whose telephone number is (703) 305-4890. The examiner can normally be reached on 8:30-5:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey A Gaffin can be reached on (703) 308-3301. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Starting October, the examiner can be reached at the new telephone number (571) 272-4152 and new fax number (571) 273-4152.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DEM



KIM HUYNH
PRIMARY EXAMINER

10/28/04